

## RULE TEXT

1. Section 1220.3 of Part 1220 of Title 19 of the Official Compilation of Codes, Rules, and Regulations of the State of New York (NYCRR) is amended to add new subdivisions (f) and (g) to read as follows:

(f) 2020 RCNYS Section 326.4.2 Permanent Barriers. Section 326.4.2 shall be deemed to be amended to read as follows:

**[NY]R326.4.2 Permanent barriers.** Swimming pools shall be completely enclosed by a permanent barrier complying with Sections R326.4.2.1 through R326.4.2.6.

Exception: A hot tub or spa with a safety cover which complies with ASTM F1346 shall not be required to comply with section R326.4.2.

(g) 2020 RCNYS Chapter 44 Referenced Standards. The following publication shall be deemed to be added under ASTM International (ASTM):

F1346–91 (2018): Standard Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs. (Sections of this document that reference this standard: R326.4.1, R326.4.2, R326.7).

2. Section 1221.3 of Part 1221 of Title 19 of the NYCRR is amended to add a new paragraph (4) to subdivision (a) and to add a new subdivision (b) to read as follows:

(4) The entry in Chapter 35 of the 2020 BCNYS for the publication entitled “Standard Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs” in the list of referenced standards published by ASTM International (ASTM) shall be deemed to be amended to read as follows:

F1346–91 (2018): Standard Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs. (Sections of this document that reference this standard: 3109.3.1, 3109.3.2, 3109.5).

(b) 2020 BCNYS Section 3109.3.2 Permanent Barriers. Section 3209.3.2 shall be deemed to be amended to read as follows:

**[NY]3109.3.2 Permanent barriers.** Swimming pools, spas, and hot tubs shall be completely enclosed by a permanent barrier complying with Sections 3109.3.2.1 through 3109.3.2.6.

Exception: A hot tub or spa with a safety cover which complies with ASTM F1346 shall not be required to comply with section 3109.3.2.

3. Section 1226.3 of Part 1226 of Title 19 of the NYCRR is amended to add a new subdivision (b) to read as follows:

(b) 2020 PMCNYS Chapter 8 Referenced Standards. The entry in Chapter 8 of the 2020 PMCNYS for the publication entitled “Performance Specifications for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs” in the list of referenced standards published by ASTM International (ASTM) shall be deemed to be amended to read as follows:

F1346–91 (2018): Standard Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs. (Section of this document that references this standard: 303.3).